



Entered on Docket
March 10, 2008

A handwritten signature in black ink, appearing to read "Linda B. Riegler".

Hon. Linda B. Riegler
United States Bankruptcy Judge

LEWIS AND ROCA LLP

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Attorneys for USACM Liquidating Trust

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:

USA Commercial Mortgage Company,

USA Capital Realty Advisors, LLC,

USA Capital Diversified Trust Deed Fund, LLC,

USA Capital First Trust Deed Fund, LLC,¹

USA Securities, LLC,²

Debtors.

Affects:

- ☐ All Debtors
- ☒ USA Commercial Mortgage Company
- ☐ USA Capital Realty Advisors, LLC
- ☐ USA Capital Diversified Trust Deed Fund, LLC
- ☐ USA Capital First Trust Deed Fund, LLC
- ☐ USA Securities, LLC

Case No. BK-S-06-10725-LBR
Case No. BK-S-06-10726-LBR
Case No. BK-S-06-10727-LBR
Case No. BK-S-06-10728-LBR¹
Case No. BK-S-06-10729-LBR²

CHAPTER 11

Jointly Administered Under Case No. BK-S-06-10725 LBR

**ORDER SUSTAINING
FOURTEENTH OMNIBUS
OBJECTION OF THE USACM
LIQUIDATING TRUST TO CLAIMS
FOR LACK OF DOCUMENTATION**

Hearing Date: February 21, 2008
Time: 9:30 a.m.

¹ This bankruptcy case was closed on October 12, 2007.

² This bankruptcy case was closed on December 26, 2007.

1 The USACM Liquidating Trust (the "USACM Trust") filed its Fourteenth Omnibus
2 Objection to Claims for Lack of Documentation [DE 5587] (the "Objection") on January
3 7, 2008. Appropriate notice of the Objection was given. No other responses were
4 received by USACM Trust counsel or filed with this Court. The Objection came before
5 the Court for hearing on February 21, 2008 at 9:30 a.m. Good cause appearing, it is

6 ORDERED:

- 7 • Sustaining the USACM Trust's Fourteenth Omnibus Objection to Claims for
8 Lack of Documentation; and
9 • Disallowing the Proofs of Claim listed on the attached Exhibit A without
10 prejudice to any rights the claimants listed in Exhibit A may have as Direct Lenders in a
11 particular loan.

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13 PREPARED AND SUBMITTED:

14 LEWIS AND ROCA LLP

15 By: /s/ RC (#0006593)

16 Susan M. Freeman

17 Rob Charles

18 John Hinderaker

19 *Attorneys for USACM Liquidating Trust*
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1 CERTIFICATION OF COUNSEL PURSUANT TO LOCAL RULE 9021

2 In accordance with Local Rule 9021, the undersigned certifies:

- 3 ☐ The Court waived the requirements of approval under LR 9021.
- 4 ☐ No parties appeared or filed written objections, and there is no trustee appointed
- 5 in the case.
- 6 ☒ No opposition was filed to the motion and no other party or counsel appeared at
- 7 the hearing.
- 8 ☐ I have delivered a copy of this proposed order to all attorneys and unrepresented
- 9 parties who have appeared at the hearing, and any trustee appointed in the case,
- 10 and each has approved or disapproved the order, or failed to respond, as
- 11 indicated below:

12 **LEWIS AND ROCA LLP**

13 By: /s/ RC (#0006593)

14 Susan M. Freeman

15 Rob Charles

16 John Hinderaker

17 *Attorneys for USACM Liquidating Trust*

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USACM Liquidating Trust
**ORDER SUSTAINING FOURTEENTH OMNIBUS
 OBJECTION OF THE USACM LIQUIDATING
 TRUST TO PROOFS OF CLAIM FOR LACK OF
 DOCUMENTATION**
BK-S-06-10725-LBR

<u>Creditor Name</u>	<u>Claim No.</u>	<u>Date Filed.</u>	<u>Amount</u>
Cangelosi, John R. & Margaret M. 614 Hillside Crossing Pompton Plains, New Jersey 07444	10725-01866	1/10/07	\$141,979.15
Cangelosi, Trustee, Margaret M. 614 Hillside Crossing Pompton Plains, New Jersey 07444	10725-01930	1/11/07	\$111,767.12
Murphy Family Trust c/o Christopher D. Jaime, Esq. Maupin, Cox & Legoy 4785 Caughlin Parkway Reno, Nevada 89519	10725-02022	1/13/07	\$250,000.00
Deutscher, Dwayne H. & Michelle T. 5430 Fenton Way Granite Bay, California 95746	10725-02029	1/11/07	\$213,069.77
O'Riordan, John E. & Sonhild A. 2745 Hartwick Pines Drive Henderson, Nevada 89052-7002	10725-02039	1/10/07	Amount Not Stated
Carol A. Eller IRA P.O. Box 1614 Mammoth Lakes, California 93546	10725-02078	1/11/07	\$17,170.00
Jonathan M. Eller IRA P.O. Box 1614 Mammoth Lakes, California 93546	10725-02079	1/11/07	\$50,000.00
Eller, Jonathan M. & Carol A. P.O. Box 1614 Mammoth Lakes, California 93546	10725-02080	1/11/07	\$121,720.00
Jonathan M. Eller, Inc. P.O. Box 1614 Mammoth Lakes, California 93546	10725-02081	1/11/07	\$111,576.00
Cangelosi, Trustee, Margaret M. 614 Hillside Crossing Pompton Plains, New Jersey 07444	10725-02381	1/16/07	\$111,767.12

EXHIBIT A